

PTO/SB/26 (08-03)

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Docket Number (Optional)

ACX-100-B

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

In re Application of: **Mark Lieberman**  
 Application No.: **10/085,334**

Filed: **February 28, 2002**For: **OLEFIN-BASED THERMOPLASTIC ALLOY, PROCESS FOR MAKING SAME AND MOLDED PARTS**

**CONTAINING THE SAME** **ACT TECHNOLOGIES, LLC** **100** percent interest in the instant application hereby  
 The owner, **ACT TECHNOLOGIES, LLC**, of **100** percent interest in the instant application hereby  
 disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application,  
 which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently  
 shortened by any terminal disclaimer, of prior Patent No. **6,670,421**. The owner hereby agrees that any patent  
 so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are  
 commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee,  
 its successors or assigns.

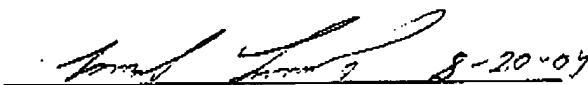
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant  
 application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the  
 prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a  
 maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in  
 whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or  
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Check either box 1 or 2 below, if appropriate.

1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency,  
 etc.), the undersigned is empowered to act on behalf of the organization.

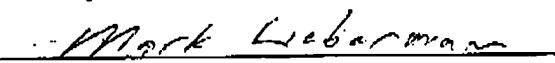
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on  
 information and belief are believed to be true; and further that these statements were made with the knowledge that willful  
 false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of  
 the United States Code and that such willful false statements may jeopardize the validity of the application or any patent  
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2.  The undersigned is an attorney or agent of record.

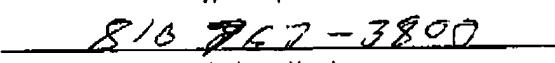


Signature

8-20-04



Typed or printed name



Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
 Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Mark Lieberman  
 Application No./Patent No.: 10/085,334 Filed/Issue Date: February 28, 2002  
 Entitled: OLEFIN-BASED THERMOPLASTIC ALLOY, PROCESS FOR MAKING SAME AND  
MOLDED PARTS CONTAINING THE SAME  
ACT TECHNOLOGIES, LLC, a Michigan Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the Inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
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Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08.]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

8-20-04

Date

Mark Lieberman

Typed or printed name

Mark Lieberman

Signature

10165

Title

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ASSIGNMENT

WHEREAS, I, Mark Lieberman, of 1256 Westview, Bloomfield Hills, Michigan 48304, have invented:

**OLEFIN-POLYAMIDE THERMOPLASTIC ALLOY AND  
PROCESS FOR MAKING THE SAME**

for which I have made application for Letters Patent of the United States of America; and

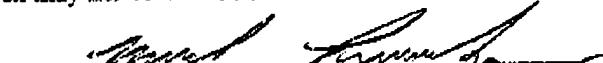
WHEREAS, ACI Technologies, LLC, a corporation of the State of Michigan, having its principal place of business at 2945 Davison Road, Flint, Michigan 48506, desires to acquire the entire right, title and interest in and to said invention;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, receipt whereof is hereby acknowledged, I, Mark Lieberman, by these presents do sell, assign and transfer unto said corporation, its successors and assigns, all right, title and interest in the United States of America and all foreign countries in and to said invention as described in the patent application, Serial Number 10/085,334, filed February 28, 2002, and to any improvements on said invention hereto or hereafter made while I am in the employ of said corporation, and any divisions or continuations of said application, and all Patents, United States and foreign, granted upon any such applications or for the inventions described therein, and any reexaminations, reissues or extensions of said Patents; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue all Patents on said United States applications to said corporation as assignee thereof.

FOR SAID CONSIDERATIONS I hereby covenant and agree that I am the owner of the full title herein assigned and have the right to assign the same, and agree that I will communicate to said corporation or its representatives, any facts known to me respecting said invention or inventions and testify in any legal proceedings relating thereto when called upon, and will sign all instruments and documents and render such assistance which in the judgment of said corporation is necessary to vest in it and protect the legal title sought to be assigned.

I authorize and empower the assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for the inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from me.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

  
Mark Lieberman  
Dated: August 17, 2004